

HOUSE BILL No. 1475

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13-2-11.1; IC 4-13.6-5-4.

Synopsis: Department of correction construction. Changes the requirements for the department of correction to use inmate labor on certain construction projects.

Effective: July 1, 2007.

Porter

January 23, 2007, read first time and referred to Committee on Labor and Employment.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1475

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-13-2-11.1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11.1. (a)
3 Notwithstanding the other provisions of this chapter or IC 5-16-1
4 concerning the awarding of contracts, if a project is for the
5 rehabilitation, extension, maintenance, construction or repair of any
6 structure, improvement, or facility under the control of the department
7 of correction, the department may purchase materials for that project
8 in the manner provided by law and use, without awarding a contract,
9 its inmates to perform the labor and use its own employees for
10 supervisory purposes if:
11 (1) they use equipment owned or leased by that department; and
12 (2) the cost of the project using employee or inmate labor is
13 estimated by the department of administration to be less than one
14 hundred thousand dollars (\$100,000); project can be
15 accomplished within one thousand (1,000) feet of the secured
16 perimeter of a facility under the control of the department of
17 correction; and



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(3) the project and the use of inmate labor on the project have been approved by:

(A) the commissioner of the Indiana department of administration; or

(B) the director of the public works division of the Indiana department of administration.

(b) All projects covered by this section must comply with the remaining provisions of this chapter, and all plans and specifications must be approved by a licensed architect or engineer as required by law.

SECTION 2. IC 4-13.6-5-4, AS AMENDED BY P.L.34-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) If the estimated cost of a public works project is less than seventy-five thousand dollars (\$75,000), the division may perform the public work without awarding a public works contract under section 2 of this chapter. In performing the public work, the division may authorize use of equipment owned, rented, or leased by the state, may authorize purchase of materials in the manner provided by law, and may authorize performance of the public work using employees of the state.

(b) If a public works project involves a structure, improvement, or facility under the control of the department of natural resources, the department of natural resources may purchase materials for the project in the manner provided by law and without a contract being awarded, and may use its employees to perform the labor and supervision, if:

(1) the department of natural resources uses equipment owned or leased by it; and

(2) the division of engineering of the department of natural resources estimates the cost of the public works project will be less than seventy-five thousand dollars (\$75,000).

(c) If a public works project involves a structure, improvement, or facility under the control of the department of correction, the department of correction may purchase materials for the project in the manner provided by law and use inmates in the custody of the department of correction to perform the labor and use its own employees for supervisory purposes, without awarding a contract, if:

(1) the department of correction uses equipment owned or leased by it; and

(2) the estimated cost of the public works project using employee or inmate labor is less than the greater of:

(A) fifty thousand dollars (\$50,000); or

(B) the project cost limitation set by IC 4-13-2-11.1.

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1 project can be accomplished within one thousand (1,000) feet
2 of the secured perimeter of a facility under the control of the
3 department of correction; and

4 (3) the project and the use of inmate labor on the project have
5 been approved by:

6 (A) the commissioner of the Indiana department of
7 administration; or

8 (B) the director of the public works division of the Indiana
9 department of administration.

10 All public works projects covered by this subsection must comply with
11 the remaining provisions of this article, and all plans and specifications
12 for the public works project must be approved by a licensed architect
13 or engineer.

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